

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
UNITED STATES OF AMERICA,

US SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 4/23/15

-against-

07-cr-1015 (LAK)

MICHAEL DEDE,  
(USM NO. 60243-054)

Defendant.  
----- x

**ORDER**

LEWIS A. KAPLAN, *District Judge.*

The defendant was convicted at trial of one count of conspiracy to distribute, and possess with intent to distribute, heroin and sentenced on June 2, 2008 principally to 188 months' imprisonment. On February 18, 2015, the defendant filed a motion requesting this Court reconsider the original sentence.

Effective November 1, 2014, the United States Sentencing Commission ("Sentencing Commission") amended the United States Sentencing Guidelines Manual to lower the guideline sentencing range for certain categories of offenses involving drugs. The Sentencing Commission adopted also an amendment to § 1B1.10 of the Guidelines authorizing, effective November 1, 2014, retroactive application of the amendment. This amendment specifies also that no defendant can be released prior to November 1, 2015.

The Bureau of Prisons currently projects that the defendant will be released from prison on October 14, 2021. Based upon this release date, the Court will not consider this request until October 14, 2019 – twenty-four months prior to the earliest release date.

This Court instructs the defendant to either file a new motion, or file a notice to renew his motion filed on February 18, 2015 twenty-four months prior to his earliest release date.

SO ORDERED.

Dated:

*April 23*  
March 12, 2015



\_\_\_\_\_  
Lewis A. Kaplan  
United States District Judge